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Attorneys for Defendant,
Counterclaimant, and Third Party Plaintiff,
PATRICIA CROWELL

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WINE SCOUT INTERNATIONAL,

Plaintiff,

vs.

PATRICIA CROWELL,

Defendant.

CASE NO. C 07 05930 JSW

**AMENDED
NOTICE OF UNAVAILABILITY OF
COUNSEL FOR DEFENDANT,
COUNTERCLAIMANT, AND THIRD
PARTY PLAINTIFF, PATRICIA
CROWELL**

PATRICIA CROWELL, an individual

Counterclaimant,

vs.

WINE SCOUT INTERNATIONAL, a
California corporation,

Counterdefendant.

[Electronic digital signatures permitted]

PATRICIA CROWELL, an individual

Third Party Plaintiff,

vs.

MARK STEVEN POPE, aka Mark S. Pope and
aka Mark Pope, individually and as he does
business under the trade name and style of
Bounty Hunter, Bounty Hunter Rare Wine,
and/or Bounty Hunter Rare Wine and
Provisions,

Third Party Defendant.

1 TO: PLAINTIFF AND COUNTERDEFENDANT, WINE SCOUT INTERNATIONAL, THIRD
2 PARTY DEFENDANT, MARK STEVEN POPE, AND TO RESPECTIVE THEIR COUNSEL
3 OF RECORD.

4 NOTICE IS HEREBY GIVEN that, commencing as of twelve noon (PDT) on May 7,
5 2008 and continuing through May 20, 2008, STEPHEN N. HOLLMAN of BUSINESS &
6 TECHNOLOGY LAW GROUP, counsel for defendant, counterclaimant, and third party
7 plaintiff, PATRICIA CROWELL, will be away from and unavailable to be reached by his office
8 for all purposes, including, but not limited to, the receipt of correspondence, demands, pre-trial
9 discovery, or notices of any kind, appearing in Court, responding to *ex parte* applications,
10 participating in telephone conferences, and/or attending depositions.

11 Notice is hereby given of the ruling in *Tenderloin Housing Clinic v. Sparks*, 8 Cal.App.4th
12 299 (1993), regarding the timing of any correspondence, demands, pre-trial discovery, or notices
13 of any kind, required appearances in Court, responding to *ex parte* applications, participating in
14 telephone conferences, and/or attending depositions will be oppressive and constitute harassment
15 if any of such matters neglects or ignores knowledge of the unavailability counsel to whom it is
16 directed, and regarding the availability of sanctions for scheduling any conflicting matter during
17 such period of unavailability of counsel.

18 Counsel for plaintiff, counterdefendant, and third party defendant was served in hand by
19 the undersigned with a Notice of Unavailability dated April 25, 2008 in an open proceeding
20 before the Court during the Case Management Conference on that date, and the Notice of
21 Unavailability, as so served in hand, recited the identical language as set forth in the two
22 foregoing paragraphs herein. The Court's comment to such service during the open proceeding
23 before it was that while the immediately foregoing paragraph applied only to state court
24 proceedings, the Court did expect that such a Notice of Availability would be received and
25 treated with professional courtesy and collegiality.

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1 DATED: May 7, 2008

BUSINESS & TECHNOLOGY LAW GROUP

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3 By: /s/ Stephen N. Hollman
4 Stephen N. Hollman,
5 Attorneys for Defendant,
6 Counterclaimant and
7 Third Party Plaintiff,
8 PATRICIA CROWELL
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